GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2288
ANSWERED ON:13.03.2001
POWERS OF HUMAN RIGHTS COMMISSION
DALPAT SINGH PARASTE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details regarding powers granted by the Government to the Human Rights Commission at present;

(b) whether to curb incidence of torture and human rights violation, Amnesty International has recommended a provision of adequate safeguards for the interrogation, investigations into cases of torture, reparation of torture victims and increased cooperation between national and international bodies in the fight to end torture; and

(c) if so, the reaction of the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDYASAGAR RAO)

(a): The functions and powers of the National Human Rights Commission have been provided in detail under sections 12 to 16 of the Protection of Human Rights Act`93, which is a public document.

(b): Yes, Sir.

(c): There are several legal and constitutional provisions which seek to protect the citizens against all forms of violations of human rights, including torture and other degrading treatment. Specific provisions exist in the various Acts like the Indian Penal Code, Indian Evidence Act and the Criminal Procedure Code for prevention of torture during interrogation. To further strengthen the implementation of these provisions, Government is sensitizing State Police Forces and the Security Forces through training programmes. The National Human Rights Commission and State Human Rights Commissions have also been set up with powers to entertain complaints and enquire into allegations relating to violations of human rights including torture. Suitable recommendations for grant of Interim Relief are made on completion of enquiry. The Government of India has also signed the United Nations Convention against Torture aiming at greater international cooperation on issues relating to prevention of torture. Whenever, incidents involving torture and violation of human rights are brought to the notice of the Government every effort is made to punish the perpetrators and violators of the human rights.